

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

JESSE JAMES RAYBURN
ADC #153338

PLAINTIFF

v.

No. 2:14-cv-7-DPM

DONALD HEATH and LENNY LARRY, both
in their Individual Capacities

DEFENDANTS

ORDER

1. Rayburn's motion to appoint counsel, № 68, is denied. Rayburn has ably represented himself. And the facts and law aren't so complex that they warrant appointment before the Court rules on the pending recommendation. *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998).

2. On *de novo* review, the Court adopts the recommendation, № 65, and overrules Rayburn's objections, № 69. FED. R. CIV. P. 72(b)(3). Heath and Larry's motion for summary judgment, № 50, is granted. Rayburn's claims against them in their individual capacities will be dismissed with prejudice.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

14 December 2015